



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SMS
F. #2022R00552

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 27, 2025

By E-Mail and ECF

Michael Schneider, Esq.
Federal Defenders of New York
300 Cadman Plaza West, 16th Floor
One Pierrepont Plaza Building
Brooklyn, NY 11201

Re: United States v. Chowdhury
Criminal Docket No. 24-CR-466(MKB)

Dear Mr. Schneider:

In accordance with Rule 16 of the Federal Rules of Criminal Procedure, enclosed please find the government's first discovery production, Bates-stamped NC_00000001 through NC_00008183. The government also requests reciprocal discovery from the defendant. The discovery is being produced pursuant to the protective order entered by the Court on June 12, 2024. ECF No. 19. The discovery is being provided to you via USAFX. Please promptly download the materials and confirm in writing to the government that you were able to do so.

I. The Government's Discovery

A. Documents and Tangible Objects

The following records, bearing the corresponding Bates numbers:

General Description of Records	Bates Numbers
Records obtained from Google	NC_00000001- NC_00000068
Records obtained from T-Mobile	NC_00000069- NC_00000071
Records obtained from MLB	NC_00000072- NC_00000080
Records obtained from Coinbase	NC_00000081- NC_00000091
Records obtained from JP Morgan Chase	NC_00000092- NC_00000536

Records obtained from Citibank	NC_00000537- NC_00002435
Records obtained from M&T Bank	NC_00002436-NC_00002771
Records obtained from Verizon	NC_00002772- NC_00002773
Records obtained from The Delaware Division of Corporations	NC_00002774- NC_00002778
Records obtained from Newfold	NC_00002779- NC_00002808
Records obtained from Meta (Facebook)	NC_00002809- NC_00002820
Records obtained from Harvard Business Services	NC_00002821- NC_00002831
Records obtained from TextNow	NC_00002832- NC_00002833
Records obtained from Yahoo Inc	NC_00002834- NC_00002838
Records obtained from Charles Schwab	NC_00002839- NC_00002865
Records obtained from Google	NC_00002866- NC_00002912
Records obtained from Go Daddy	¹ NC_00002915- NC_00002939
Records obtained from cPanel LLC	NC_00002940- NC_00002996
Records obtained from Zenex5ive	NC_00002997- NC_00002998
Records obtained from Clicktosend	NC_00002999- NC_00003247
Records obtained from Simple Invoices	NC_00003248- NC_00003299 ² and NC_00008168-NC_00008179
Records obtained from New York State Department of Motor Vehicles	NC_00003300- NC_00003369

¹ NC_00002913- NC_00002914 have been intentionally omitted.

² NC_00003295-NC_00003297 have been intentionally omitted.

Records obtained from The Cowboy Channel	NC_00003370- NC_00003373 and NC_00004248- NC_00004255
Records obtained from Apple Inc	NC_00003374- NC_00003398
Records obtained from 24shells	NC_00003399- NC_00003399
Records obtained from Bank of America	NC_00003400- NC_00004247
Records obtained from Evolve Bank	NC_00004256- NC_00005755
Records obtained from JP Morgan Chase Paymentech	NC_00005756-NC_00006693
Records obtained from Payoneer	NC_00006694-NC_00006696 ³ and NC_00008180-NC_00008183
Records obtained from Paypal	NC_00006697-NC_00006851
Records obtained from Stripe, Inc	NC_00006852-NC_00006855
Records obtained from Talkatone	NC_00006856-NC_00006874
Records obtained from CCBill	NC_00006875-NC_00008167

You may examine the physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

B. Reports of Examinations and Tests

The government will provide you with copies of any additional reports of examinations or tests in this case as they become available.

C. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to

³ NC_00006695 has been intentionally omitted.

call at trial and provide you with a summary of the expert's opinion. The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

D. Brady Material

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

Before trial, the government will furnish materials discoverable pursuant to Title 18, United States Code, Section 3500, as well as impeachment materials. See Giglio v. United States, 405 U.S. 150 (1972).

E. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

II. The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

III. Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

JOHN J. DURHAM
United States Attorney

By: /s/ Sean M. Sherman
Sean M. Sherman
Assistant U.S. Attorney
(718) 254-6262

Enclosures

cc: Clerk of the Court (MKB) (by ECF) (without enclosures)